

**SPECIAL STATUS:  
EXPEDITED PROSECUTION**

**REMARKS**

In the Office Action dated April 12, 2005, the Examiner has set forth a requirement for restriction under 35 U.S.C. §121, alleging that the claims are directed to patentably distinct species of zinc-binding agents.

Specifically, the Examiner has required an election of a single species from the three zinc-binding agents recited in claims 29, 35 and 41. The Examiner indicates that the claims shall be restricted to the elected species if no generic claim is finally held to be allowable. However, upon allowance of a generic claim, Applicant is entitled to consideration of claims to additional species that are written in dependent form or otherwise include all the limitations of an allowed generic claim.

In order to be fully responsive to the Examiner's requirement for restriction, Applicants provisionally elect 1,2-diethyl-3-hydroxypyridin-4-one ("CP94") for continued prosecution. Applicants respectfully submit that all pending claims, i.e., claims 25-42, are generic and read on the elected species. Applicants reserve the right to file one or more divisional applications directed to the non-elected species in this application.

Applicants respectfully submit that the zinc (or other cation)-binding agents suitable for use in practicing the claimed methods share the property of crossing the blood brain barrier and modulating the interaction within the central nervous system between the cation and/or heparin with amyloid precursor protein (APP). CP94 is simply an example of such agents.

Therefore, Applicants request that the Examiner reconsider and withdraw the

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requirement for restriction and provide an action on the merits with respect to all the claims.

Applicants respectfully submit that a determination to make the pending restriction requirement final must evidence the patentable distinctness of the species, one from the other, as presented by the Examiner.

Respectfully submitted,



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